



**Representation to the
United Nations in
Geneva**

Ch de Balxert, 9,
CH-1219 Châtelaine
Geneva, Switzerland

Head Quarters in Oakland (San Francisco), USA
www.earthjustice.org

Genève, June 3, 2020

Ms. Fiona Marshall
Secretary to the Compliance Committee
Aarhus Convention Secretariat
United Nations Economic Commission for Europe
Palais des Nations, 8-14 avenue de la Paix
CH - 1211 Geneva 10, Switzerland

RE : ACCC – A2 – Kazakhstan

Madam Secretary of the Aarhus Convention Compliance Committee,

Thank you for the consultation that the Aarhus Convention Compliance Committee has opened regarding the request made by the Government of Kazakhstan. We would like to take this opportunity to thank the Government of Kazakhstan for having raised this particularly timely issue. It echoes the concerns of many governments at the moment and the Committee's advice will certainly be read with great attention by all Parties to the Convention.

The question relates to the procedure to be followed in the event of a pandemic like the one we are currently experiencing in order to comply with the obligations contained in the Convention with regard to public participation in environmental decision-making, which includes, of course, the access to the necessary information. More specifically, do video hearings qualify for authentic public participation? This question might seem purely procedural, however, it can touch on the very substance and the *raison d'être* of the relevant provisions of the Convention.

With a view to contributing to the preparation of the advice, we would like to ensure that relevant elements already formulated on this matter and which could feed and inform its reflection have been brought to the Committee's attention. We ask the Committee in advance to accept our apologies if any of this information repeats what it would already know by other sources.

You will find annexed to this letter the list of these elements on which we wish to draw the Committee's attention, as well as the documents from which they come.

We wish the Aarhus Convention compliance Committee fruitful reflection and we look forward to hearing about its results. We remain at the entire disposal of the Committee if we can be of any assistance.

Please accept, Madam Secretary of the Aarhus Convention Committee, our sincere and high consideration.

Yves Lador
Earthjustice representative to
of the UN in Geneva